

REMARKS

Summary of Office Action

Claims 1-8, and 12-17 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Okamoto et al. (US Pat. 6,281,952) in view of Zhang et al. (US Pat. 6,396,470), and in further view of Kobashi (US Pat. 6,839,107).

Claims 9 and 18 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Okamoto et al. in view of Zhang et al. and Kobashi, and further in view of Nishida et al. (US Pat. Pub. 2002/0159016).

Summary of Amendment

No claims have been amended at this time. Claims 1-21 are currently pending with claims 10, 11, 19-21 standing withdrawn from consideration.

All Claims Comply with 35 U.S.C. §103(a)

Claims 1-8, and 12-17 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Okamoto et al. in view of Zhang et al., and in further view of Kobashi. Claims 9 and 18 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Okamoto et al. in view of Zhang et al. and Kobashi, and further in view of Nishida et al. Applicants respectfully traverse these rejections for the following reasons.

As an initial matter, the currently outstanding rejections are a repeat of the rejections made in the final Office Action issued on May 18, 2005 despite the fact that the Office indicated in the Advisory Action of September 20, 2005 that the after final amendment raised new issues that required further consideration and/or search. Accordingly, the arguments presented in the

after final amendment filed August 29, 2005 is incorporated herein by reference with added comments below to address the response to arguments presented in the current Office Action.

Independent claim 1 recites, in part, “a plurality of uneven patterns consisting of a first organic material layer within the reflective portion, the uneven patterns partially covering the substrate.” Similarly, independent claim 12 recites, in part, a step of “forming a plurality of uneven patterns consisting of a first organic material layer within the reflective portion...the uneven patterns partially covering the substrate.” As previously stated, Okamoto et al., Zhang et al., and Kobashi, whether taken individually or in combination, fail to teach or suggest at least these features. As explained more in detail in the after final amendment, incorporated herein by reference, Okamoto et al. discloses that the organic material layer 25 within the reflective portion 9 **fully covers** the substrate. (AF Amdt: p. 11, 2nd full paragraph.)

The Office argues that “because Okamoto reference discloses that the organic material layer (25) in the reflective (9) fully covers the substrate, it also, by definition, covers the substrate ‘partially.’” (OA: p. 7, 1st full paragraph.) It appears that the Office is suggesting that “partially covered” is a subset of “fully covered,” and therefore a “partially covered” limitation is encompassed in a “fully covered” limitation. Applicants disagree. “Partially covering” necessarily requires covered portions and uncovered portions while “fully covering” involves covered portions only. Hence, a “fully covering” organic material layer 25 cannot reasonably be construed as “partially covering” the substrate since fully covering does not include uncovered portions.

The Office further argues that “the cited portions in which Applicant gives support for

teaching in Okamoto's TFT does not suggest anywhere that the TFT is 'under' the reflective display section." (OA: p. 7, 2nd full paragraph.) Applicants note that FIGs. 23 and 24, cited in the rejections by the Office, show TFT 21 being under the reflective section 9. Further, as explained in the after final amendment, incorporated herein by reference, the uneven patterns in Kobashi cannot be formed on top of TFTs because Kobashi teaches forming the uneven patterns from materials used in making the TFTs. (AF Amdt: p. 12, 2nd full paragraph.) Hence, the uneven patterns of Kobashi cannot be combined with Okamoto et al. to form uneven patterns of organic layer 25 as the organic layer 25 is formed on top of TFTs as shown in FIGs. 23 and 24 of Okamoto et al.

The Office further argues that "it is noted that there is nothing in Kobashi reference and nothing in the claims to preclude that the multiple layers formed over the TFT of Kobashi is not inclusive of a first organic material layer." (OA: p. 8, Ins. 9-11.) It is reminded that independent claim 1 recites, in part, "a plurality of uneven patterns *consisting* of a first organic material layer within the reflective portion, the uneven patterns partially covering the substrate" (emphasis added) and independent claim 12 recites, in part, a step of "forming a plurality of uneven patterns *consisting* of a first organic material layer within the reflective portion...the uneven patterns partially covering the substrate" (emphasis added). By the Office's own admission, Kobashi teaches uneven patterns formed of *multiple layers*. Hence, even if, *in arguendo*, Okamoto et al. can be modified by Kobashi, the combination still fails to teach or suggest at least "a plurality of uneven patterns *consisting* of a first organic material layer within the reflective portion, the uneven patterns partially covering the substrate" (added) and the step of "forming a

plurality of uneven patterns *consisting* of a first organic material layer within the reflective portion...the uneven patterns partially covering the substrate” (emphasis added) as recited in claims 1 and 12, respectively.

For at least these reasons, Applicants submit that Okamoto et al., Zhang et al., and Kobashi, whether taken individually or in combination, fail to teach or suggest at least these features of independent claims 1 and 12, and accordingly, dependent claims 2-8, 13-17. As Nishida et al. does not cure the deficiencies discussed above, Applicants submit that Okamoto et al., Zhang et al., Kobashi, and Nishida et al., whether taken individually or in combination, fail to render claims 9 and 18 unpatentable for at least the reasons presented above. Therefore, Applicants respectfully request that the rejections to claims 1-9 and 12-18 be withdrawn and the claims allowed.

CONCLUSION

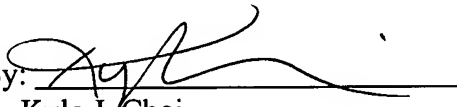
In view of the foregoing, Applicants respectfully request reconsideration and timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of the response, the Examiner is invited to contact the Applicants' undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: March 21, 2006

By: 
Kyle J. Choi
Reg. No. 41,480

Customer No.: 009626
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Telephone: 202.739.3000
Facsimile: 202.739.3001